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UBER TECHNOLOGIES, INC.  
17 and OTTOMOTTO LLC

18 UNITED STATES DISTRICT COURT  
19 NORTHERN DISTRICT OF CALIFORNIA  
20 SAN FRANCISCO DIVISION

21 WAYMO LLC,  
22 Plaintiff,  
23 v.  
24 UBER TECHNOLOGIES, INC.,  
25 OTTOMOTTO LLC; OTTO TRUCKING LLC,  
26 Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANTS UBER  
TECHNOLOGIES, INC. AND  
OTTOMOTTO LLC'S  
ADMINISTRATIVE MOTION TO  
FILE UNDER SEAL THEIR  
OPPOSITION TO WAYMO'S  
REQUEST TO FILE MOTION  
REGARDING SPOILIATION**

Pursuant to Civil Local Rules 7-11 and 79-5, Defendants Uber Technologies, Inc. and Ottomotto LLC (“Defendants”) submit this motion for an order to file under seal their Opposition to Waymo’s Request to File Motion Regarding Spoliation. Specifically, Defendants request an order granting leave to file under seal the confidential portions of the following documents:

Document	Portions to Be Filed Under Seal	Designating Party
Opposition to Waymo’s Request to File Motion Regarding Spoliation (“Opposition”)	Highlighted Portions	Plaintiff (Green highlight)
Exhibit 1	Highlighted Portions	Pursuant to agreement between counsel of Travis Kalanick and Plaintiff (yellow highlight) (see below)
Exhibit 3	Highlighted Portions	Plaintiff (green highlight)
Exhibit 4	Entire Document	Plaintiff
Exhibit 5	Entire Document	Plaintiff
Exhibit 11	Entire Document	Plaintiff
Exhibit 12	Highlighted Portions	Plaintiff (green highlight)

The yellow-highlighted portion of Exhibit 1 was agreed to be treated as confidential between counsel for Travis Kalanick and counsel for Waymo in accordance with the Patent Local Rule 2-2 Interim Model Protective Order (“Protective Order”), which the parties have agreed governs this case (Transcript of 3/16/2017 Hearing, page 6). This is reflected in a previous Administrative Motion to File Under Seal. *See* ECF No. 1153. Defendants file this material under seal in accordance with Paragraph 14.4 of the Protective Order. (Declaration of Thomas Pardini in Support of Defendants’ Administrative Motion to File Documents Under Seal (“Pardini Decl.”) ¶ 3.)

The green-highlighted portions of the Opposition and Exhibits 1, 3 and 12, as well as the entireties of Exhibits 4, 5, and 11 contain information that has been designated “Highly

1 Confidential – Attorneys’ Eyes Only” or “Confidential” by Waymo in accordance with the Patent  
2 Local Rule 2-2 Interim Model Protective Order (“Protective Order”), which the parties have  
3 agreed governs this case (Transcript of 3/16/2017 Hearing, page 6). Defendants file this material  
4 under seal in accordance with Paragraph 14.4 of the Protective Order. (Pardini Decl. ¶ 4.)

5 Pursuant to Civil Local Rule 79-5(d)(2), Defendants will lodge with the Clerk the  
6 documents at issue, with accompanying chamber copies.

7 Defendants served Waymo with this Administrative Motion to File Documents Under  
8 Seal on October 25, 2017.

9 For the foregoing reasons, Defendants request that the Court enter the accompanying  
10 Proposed Order granting Defendants’ Administrative Motion to File Documents Under Seal and  
11 designate the service copies of these documents as “HIGHLY CONFIDENTIAL –  
12 ATTORNEYS’ EYES ONLY” or “CONFIDENTIAL” as described above.

13  
14 Dated: October 25, 2017

MORRISON & FOERSTER LLP

15  
16 By: /s/ Arturo J. Gonzalez  
Arturo J. Gonzalez

17 Attorneys for Defendants  
18 UBER TECHNOLOGIES, INC. and  
19 OTTOMOTTO LLC  
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